SOUTHERN DISTRICT OF NEW YORK	Y	
SACHISKIN PTE, LTD.,	: :	
Plaintiff,	:	23-CV-3998 (JMF)
-V-	:	<u>ORDER</u>
SEEMARK BRANDS, INC. d/b/a CURRENT STATE, et al.,	: : :	
Defendants.	: :	
	X	

JESSE M. FURMAN, United States District Judge:

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For reasons the Court will explain orally at the conference referenced below, Defendant's motion to dismiss for failure to state a claim, ECF No. 25, is GRANTED as to Plaintiff's claims against Majeed Hemmat in his individual capacity and Plaintiff's claims under New York General Business Law Sections 349 and 350. The motion to dismiss is otherwise DENIED.

Defendants shall answer the remaining claims in the Amended Complaint within fourteen days in accordance with Rule 12(a)(4)(A) of the Federal Rules of Civil Procedure. In addition, the parties shall appear for a telephonic initial pretrial conference on November 15, 2023, at 3:30 p.m. In accordance with the previously filed Notice of Initial Pretrial Conference, *see* ECF No. 13, the parties shall file a joint letter and proposed Case Management Plan by the Thursday before the initial pretrial conference.

To access the conference, counsel should call 888-363-4749 and use access code 5421540#. Members of the press and public may call the same number but will not be permitted to speak during the conference. The parties are reminded to follow the procedures for teleconferences described in the Court's Individual Rules and Practices for Civil Cases, which are available at <a href="https://nysd.uscourts.gov/hon-jesse-m-furman">https://nysd.uscourts.gov/hon-jesse-m-furman</a>. Among other things, those procedures require

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counsel to provide advance notice of who will participate in the conference and the telephone numbers they will use to participate.

The Clerk of Court is directed to terminate ECF No. 25.

SO ORDERED.

Dated: November 3, 2023

New York, New York

JESSE M. FURMAN

United States District Judge